

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

EVDOKIA NIKOLOVA,

Plaintiff,

v.

UNIVERSITY OF TEXAS AT AUSTIN,

Defendant.

§
§
§
§
§
§
§
§

1:19-CV-877-RP

ORDER

Before the Court is Defendant University of Texas at Austin's ("UT") Objection to Excluding Jurors Who Are Not Fully Vaccinated, (Dkt. 75). Austin-Travis County is currently in Stage 3 of Covid-19 Risk Based Guidelines. *See* [COVID-19 Risk-Based Guidelines | AustinTexas.gov](https://www.austintexas.gov/COVID-19-Risk-Based-Guidelines). At Stage 3, the City of Austin still recommends both low-risk and high-risk individuals take "precautions" when participating in indoor activities. *Id.* Furthermore, this Objection was filed on March 2, 2022, when a jury has already been summoned for trial set to begin March 7, 2022. As such, this Objection is untimely. UT had notice of the Court's intention to call only vaccinated jurors as of the February 16, 2022 conference, (*See* Hr'g Tr., Dkt. 68; Objection, Dkt. 75, at 1), and made no objection until this time. Given the significant risks to public health from Covid-19, the untimeliness of the objection, and for the reasons stated on the record at the February 16, 2022 status conference, the Court will overrule UT's Objection.

Accordingly, **IT IS ORDERED** that UT's Objection to Excluding Jurors Who Are Not Fully Vaccinated, (Dkt. 75), is **OVERRULED**.

SIGNED on March 3, 2022.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE